

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CATHERINE A. BLACK, §
§
Plaintiff, § Civil Action No. 3:22-cv-2116-x
v. §
§
UNUM LIFE INSURANCE §
COMPANY OF AMERICA, §
§
Defendant. §

MEMORANDUM OPINION AND ORDER

Before the Court are Plaintiff Catherine A. Black's motion for attorney's fees (Doc. 81) and Defendant Unum Life Insurance Company of America ("Unum")'s motion to strike a declaration in Black's appendix to the attorney's fees motion (Doc. 87). Having carefully considered the parties' arguments, the underlying facts, and the applicable law, the Court **DENIES WITHOUT PREJUDICE** Black's motion for attorney's fees (Doc. 81). While 29 U.S.C. § 1132(g)(1) allows for fees, Federal Rule of Civil Procedure 54(d) calls for briefing on fees within 14 days after a judgment—and there is no judgment yet. The Court accordingly **DENIES** the fees motion. As such, the Court **FINDS AS MOOT** Unum's motion to strike (Doc. 87).

IT IS SO ORDERED this 11th day June, 2024.



BRANTLEY STARR
UNITED STATES DISTRICT JUDGE